

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRANDIE BOONE,	:	Case No. 1:07-cv-538
Plaintiff,	:	Dlott, J.
vs.	:	Black, M.J.
BOARD OF COUNTY COMMISSIONERS	:	
OF HIGHLAND COUNTY, OHIO, <i>et al.</i> ,	:	
Defendants.	:	

**REPORT AND RECOMMENDATION¹ THAT PLAINTIFF'S COMPLAINT BE
DISMISSED, AND THIS CASE CLOSED, PURSUANT TO THE PENDING SHOW
CAUSE ORDER (Doc. 4)**

The Court previously entered a Show Cause Order in this matter, and advised plaintiff that her complaint would be dismissed if she failed to timely comply with the Order.² (Doc. 15) In view of the fact that the time deadline set forth in the Show Cause Order has passed without a responsive filing being made by plaintiff, the undersigned **RECOMMENDS** that plaintiff's complaint be **DISMISSED** *without prejudice* and this case **CLOSED**. *See Habib v. General Motors Corp.*, 15 F.3d 72, 73 (6th Cir. 1994); *United States v. Gluklick*, 801 F.2d 834, 836-37 (6th Cir. 1986).

Date: January 5, 2009

s/Timothy S. Black
Timothy S. Black
United States Magistrate Judge

¹ Attached hereto is a NOTICE to the parties regarding objections to this Report and Recommendation.

² On July 30, 2008, the Court granted plaintiff's counsel's motion to withdraw as attorney. (Doc. 13) Plaintiff asked for additional time to find new counsel, and indicated that if she was unable to retain new counsel within the time period set by the Court, she would like the Court to dismiss this case without prejudice. A new attorney has not entered an appearance on behalf of Plaintiff, even though the deadline referenced in the Order has passed.

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **TEN (10) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **TEN (10) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).